IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1286 OF 2006

IN

SUIT NO.3531 OF 2004

Suresh Kachharam Achra & Anr. ...Plaintiffs

Versus

Gul Kachharam Achra & Ors. ...Defendants

WITH

CHAMBER SUMMONS NO.1287 OF 2006

IN

SUIT NO.3530 OF 2004

M/s.Khushalani Investments Pvt.Ltd. ...Plaintiffs

Versus

Gul Kachharam Achra & Ors. ...Defendants

WITH

CHAMBER SUMMONS NO.1288 OF 2006

IN

SUIT NO.3166 OF 2004

Madhu Kachharam Achra ...Plaintiff

Versus

Gul Kachharam Achra & Ors. ...Defendants

.....

Mr.N.R.Bubna for Plaintiffs.

Mr.N.J.Ratnani i/b Ashwin Ankad & Associates for Defendants 1 & 2.

Mr.M.S.Doctor i/b Kanga & Co. for Defendants 3 to 7.

.....

CORAM: A.M.KHANWILKAR, J.

APRIL 19, 2007.

P.C.

1. Heard Counsel for the parties.

2. I am not convinced with the reason indicated by the Plaintiffs for expediting the hearing of the Suit. Merely because the Plaintiffs have failed to get the interim relief from this Court, as a result of which, the Defendants have continued with the construction activity on the suit plot, cannot be the basis to expedite the hearing of the Suit. The argument that the Suit will become infructuous does not commend to me. If the Plaintiffs succeed in the Suit, will be entitled for reliefs as claimed in the Suit. Chamber summonses dismissed accordingly.

A.M.KHANWILKAR, J.